

filed 2-8-95

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MICHAEL A. COSTANTINO, ET AL.,	:	CASE NO. C86-3368
	:	
PLAINTIFFS,	:	
	:	JUDGE ANN ALDRICH
-VS-	:	
	:	
TRW, INC., ET AL.,	:	
	:	
DEFENDANTS.	:	

MOTION FOR AN AWARD OF STATUTORY ATTORNEYS FEES TO THE  
PLAINTIFF CLASS AND FOR APPROVAL OF A SEPARATE DISTRIBUTION  
OF FEES AND EXPENSES TO CLASS COUNSEL

The plaintiff class and class counsel respectfully move this Court to grant *both* of the following:

- (a) An award of statutory attorneys fees pursuant to ERISA § 502(g) in the amount of \$724,572.50,<sup>1</sup> to be paid by defendants ("TRW") to the plaintiff class, and
- (b) Court approval, after notice to class members and a "fairness hearing," of a distribution to class counsel of reasonable compensation for their services to the class, not to exceed thirty percent (30%) of the cumulative underpayments and interest thereon recovered on behalf of the class pursuant to the Court's July 25, 1991 judgment, and (b) litigation expenses reasonably incurred (to date \$22,502.43) and to be incurred.

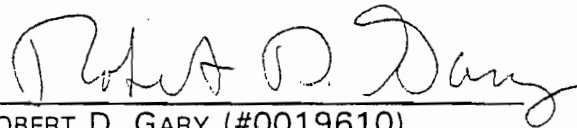
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<sup>1</sup> This total is comprised of the following hours and hourly rates for class counsel and one paralegal: Robert D. Gary, 1,007.5 hours @ \$300/hour; Judith A. Lehnowsky, 1,039.3 hours @ \$200/hour; Leonard F. Carr, 501.8 hours @ \$225/hour; Thomas R. Theado, 54.65 hours @ \$200/hour; Thomas A. Downie, 214.7 hours at \$200/hour; Eric H. Zagrans, 167.5 hours at @ \$275/hour; and Katherine M. Joeright (paralegal), 32.5 hours @ \$50/hour.

This motion is supported by the appended affidavits, schedules of hours, and itemized expenses.

A Memorandum in support of this motion is also attached.

RESPECTFULLY SUBMITTED,

A handwritten signature in dark ink, appearing to read "Robert D. Gary", is written over a horizontal line.

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COUNSEL FOR THE PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact photocopy of the foregoing was served upon counsel for the defendants in this action by mailing such document, proper postage prepaid, this 8th day of February, 1995, addressed as follows:

William H. Powderly III, Esq.  
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COUNSEL FOR THE PLAINTIFFS